

In the United States Court of Federal Claims

No. 06-533C
(Filed September 13, 2006)

PIPER LAKAY ELLIS SNOWTON,	*
Plaintiff,	*
	*
v.	*
	*
THE UNITED STATES,	*
Defendant.	*
	*

ORDER

Plaintiff, acting *pro se*, filed a Complaint alleging that the “United States of America Federal Court systems,” specifically the Tenth Circuit Court of Appeals and the United States District Court for the Central District of California, inflicted pain, suffering and stress on her by “plastering the plaintiff[’s] confidential case all over the internet without plaintiff[’s] permission.” (Compl. p. 2, ¶ 3.) She seeks \$350 million in damages. Plaintiff also moves for leave to proceed *in forma pauperis*.

With respect to plaintiff’s *in forma pauperis* request, it is concluded that the statutory criteria is met and leave is granted to so proceed. 28 U.S.C. § 1915(a)(1) (deemed applicable to the Court of Federal Claims by 28 U.S.C. § 2503(d)); *see Hayes v. United States*, 71 Fed. Cl. 366, 369 (2006). However, 28 U.S.C. § 1915 (e)(2)(B)(ii) provides that the Complaint shall be dismissed if the court determines that the action “fails to state a claim on which relief may be granted.” That is the situation which is presented here.

As is true with respect to all inferior federal courts, the United States Court of Federal Claims has only the jurisdiction granted to it by Congress. *In re United States*, 877 F.2d 1568 (Fed. Cir. 1989). The court has not been provided jurisdiction over “civil rights” matters. *Brown v. United States*, 105 F.3d 621, 623 (Fed. Cir.

1997). The court has not been provided with jurisdiction over tort claims. *L'Enfant Plaza Properties, Inc. v. United States*, 227 Ct. Cl. 1, 11, 645 F.2d 886, 892 (1981). Claimed violations of due process and equal protection do not implicate “money mandating” provisions of the Constitution and do not, therefore, plead a cause of action within the jurisdiction of this court to grant relief. *Mullenberg v. United States*, 857 F.2d 770, 773 (Fed. Cir. 1988). Congress has not provided jurisdiction to this court over Privacy Act or Freedom of Information Act matters. *Instrument Systems Corp. v. United States*, 212 Ct. Cl. 99, 546 F.2d 357 (1976); *Hicks v. United States*, 23 Cl. Ct. 647, 653 (1991).

A close examination of plaintiff’s Complaint demonstrates that only matters over which this court has not been provided jurisdiction to grant relief are pleaded. For example, the allegations as to the infliction of “more stress, pain and suffering upon the plaintiff” clearly sound in tort and this court does not have jurisdiction to grant relief. *Berdick v. United States*, 222 Ct. Cl. 94, 100, 612 F.2d 533, 536 (1979). As noted above, plaintiff’s allegations as to discrimination, equal protection and due process violations also present matters not within the court’s jurisdiction. As plaintiff has not alleged any matter within the court’s jurisdiction to grant relief, the Complaint must be dismissed.

Accordingly, it is **ORDERED** that the Complaint, filed July 19, 2006, shall be **DISMISSED** for failure to state a cause of action within this court’s jurisdiction to grant relief with no costs assessed.

James F. Merow
Senior Judge